

**10/563,506**

PRIORITY DATE CLAIMED  
(10.07.2003) 10 JULY 2003

EL411594663US

**BRANTON, Peter James; HUNT, Philip Richard**

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☐ A preliminary amendment.

14. ☐ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☒ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.

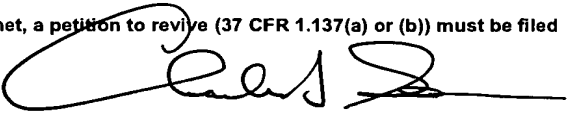
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).

20. ☐ Other Items or Information:

Page 1 of 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)</b> <b>10/563,506</b>		<b>INTERNATIONAL APPLICATION NO.</b> <b>PCT/GB04/02961</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>RD 446</b>	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.					
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	<b>130.00</b>
<b>TOTAL NATIONAL FEE =</b>				\$	<b>130.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	<b>130.00</b>
04/07/2006 GFREY1 00000157 10563506 01 FC:1617 130.00 OP				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>CHARLES I. SHERMAN</b>  <b>MIDDLETON REUTLINGER</b>  <b>2500 BROWN &amp; WILLIAMSON TOWER</b>  <b>LOUISVILLE, KENTUCKY 40202 USA</b></p> <div style="text-align: right; margin-top: 20px;">         SIGNATURE  <b>CHARLES I. SHERMAN</b>        NAME  <b>22,998</b>        REGISTRATION NUMBER     </div>					

RULE 1.10 CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following documents:

Transmittal Form for DO/EO/US  
Transmittal Letter  
Response to Missing Requirements  
Copy of Notice of Missing Requirements  
Declaration  
Fee for Late Filing of Declaration  
Supplemental Application Data Sheet  
*Power of Attorney*  
Return Postcard

are being deposited with the U.S. Postal Service with sufficient postage paid as Express Mail "Post Office to Addressee" in an envelope addressed to:

*EL41159466345*

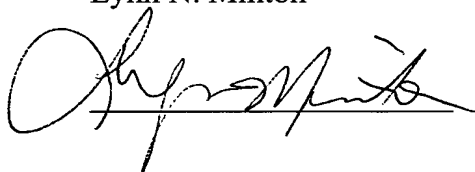
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dated: *April 4, 2006*

Printed name of person signing certificate:

Lynn N. Minton

Signature:

A handwritten signature in black ink, appearing to read "Lynn N. Minton", written over a horizontal line.

THE UNITED STATES PATENT AND TRADEMARK OFFICE  
under 35 USC 371 as DO/EO/US

IN RE APPLICATION OF: )  
Branton et al. )  
Serial No. 10/563,506 (PCT/GB04/02961) )  
Title: IMPROVEMENTS RELATING TO )  
SMOKING ARTICLE FILTERS )  
Filed: To be determined )  
International Filing Date: JULY 9, 2004 )  
Priority Date: JULY 10, 2003 )

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COMMISSIONER FOR PATENTS  
Mail Stop PCT, ATTN: DO/EO/US  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 USC §371**

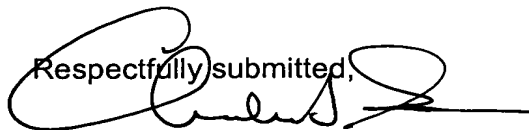
Dear Sirs:

Responsive to the Notification of Missing Requirements under 35 USC §371 in the United States Designated/Elected Office (DO/EO/US), having a mailing date of March 30, 2006, Applicant's Attorney is submitting the required documentation to comply with 35 USC §371.

Enclosed are the following documents:

1. Copy of Missing Requirements under 35 USC § 371 form;
2. Copy of Declaration;
3. Copy of Supplemental Application Data Sheet;
4. Credit Card Payment Form; and,
5. Return Postcard.

Respectfully submitted,



Charles I. Sherman, Reg. No. 22,998  
MIDDLETON REUTLINGER  
2500 Brown & Williamson Tower  
Louisville, KY 40202  
(502) 584-1135

Date: April 3, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

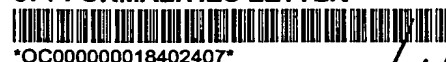
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,506	Peter James Branton	RD 446
INTERNATIONAL APPLICATION NO.		
PCT/GB04/02961		
LA. FILING DATE	PRIORITY DATE	
07/09/2004	07/10/2003	

22884

MIDDLETON & REUTLINGER  
 2500 BROWN & WILLIAMSON TOWER  
 LOUISVILLE, KY 40202

CONFIRMATION NO. 8289

371 FORMALITIES LETTER



\*OC000000018402407\*

Date Mailed: 03/30/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/05/2006
- Copy of the International Search Report filed on 01/05/2006
- Copy of IPE Report filed on 01/05/2006
- Preliminary Amendments filed on 01/05/2006
- U.S. Basic National Fees filed on 01/05/2006
- Priority Documents filed on 01/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,506	PCT/GB04/02961	RD 446

FORM PCT/DO/EO/905 (371 Formalities Notice)